RESPONSE

A. Status of the Claims

Claims 38-60 were pending at the time of the Restriction Requirement, with claims 1-37 having been canceled in the Preliminary Amendment filed with the application. Claims 55-60 are provisionally withdrawn from consideration at this time in view of the election of the Group I invention made below in response to the Restriction Requirement. Therefore, claims 38-54 are presently under consideration in the case. Further, if Applicants' traversal of the Restriction Requirement is accepted, then claims 55-60 are also under consideration.

B. Response to Restriction/Species Election Requirement

In response to the restriction requirement, Applicants elect, ***with traverse***, to prosecute the "Group I invention," as exemplified by claims 38-44 and 45-54, drawn to a hyperimmune serum reactive antigen (*Streptococcus agalactiae*) and a pharmaceutical composition.

Applicants contend, without prejudice, that claims 55-60 (the "Group II invention") should be examined in conjunction with claims 38-54 (the "Group I invention"), for the reasons below.

Contrary to the statements of the restriction requirement, the claims do contain a common special technical feature. All of the claims relate to the common technical feature of "a hyperimmune serum-reactive antigen comprising an amino acid sequence from any of SEQ ID NOs: 218-434, 449-462, or 475-486." This element is set forth specifically in claim 38, by reference to claim 38 in claim 45, and by reference to claim 45 (and thereby claim 38) in claim 55. Further, the cited reference of Stalhammar-Carlemalm *et al.* does nothing to destroy novelty of this common technical feature, because it merely discloses an 95 kDa antigen fragment (protein Rib), which apparently exhibits no sequence identity or similarity to any of the claimed SEQ ID NOs: 218-434, 449-462, or 475-486. In view of the above, the "Group I invention" and

"Group II invention" have a single inventive concept as required by PCT Rule 13.2, and Applicants request withdrawal of the restriction requirement and examination of all pending claims in the present case.

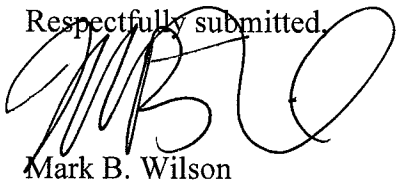
Additionally, Applicants elect for further prosecution the amino acid sequence of SEQ ID NO: 364 (gbs 2018).

Finally, with regard to the species election requirement, applicants elect the species of claim 50 wherein the immunostimulatory substance is a peptide containing at least two LysLeuLys motifs. Claims 38-50 and 53-60 are generic with regard to this species election, and Applicants reserve all rights under the rules to have any non-elected species within the scope of an allowed generic claim examined in this application in the future.

D. Conclusion

Applicants believe this paper to be a full and complete response to the Restriction Requirement dated September 25, 2006. Applicants respectfully request favorable consideration of this case in view of the above comments and amendments. Should the Examiner have any questions, comments, or suggestions relating to this case, the Examiner is invited to contact the undersigned Applicants' representative at (512) 536-3035.

Respectfully submitted,



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